

REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-45 are currently pending. Claims 1-13, 16, 17, 21, 23-40, 44, and 45 have been amended by the present amendment. The changes to the claims are supported by the originally filed specification and do not add new matter.

In the outstanding Office Action, Claims 1, 4, 7, 8, 10, 11, 14-17, 20, 21, 23, 27, 28, 31, 33, 34, 37-40, 43, and 44 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,442,598 Wright et al. (hereinafter “the ‘598 patent”); Claims 2, 3, 5, 6, 18, 19, 24-26, 29, 30, 41, and 42 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the ‘598 patent in view of U.S. Patent No. 6,438,217 to Huna (hereinafter “the ‘217 patent”); Claims 9 and 32 were rejected under 35 U.S.C. § 103(a) as unpatentable over the ‘598 patent in view of U.S. Patent No. 6,597,891 to Tantawy et al. (hereinafter “the ‘891 patent”); Claims 12, 13, 35, and 36 were rejected under 35 U.S.C. § 103(a) as unpatentable over the ‘598 patent in view of U.S. Patent No. 6,522,875 to Dowling et al. (hereinafter “the ‘875 patent”); and Claims 22 and 45 were rejected under 35 U.S.C. § 103(a) as unpatentable over the ‘598 patent in view of U.S. Patent No. 6,151,497 to Yee et al. (hereinafter “the ‘497 patent”).

Applicants wish to thank the Examiner for the interview granted Applicants’ representative on March 17, 2004, at which time Claim 1 was discussed and arguments in support of patentability were presented. However, no agreement was reached pending the Examiner’s further consideration of the claims upon formal submission of a response to the outstanding Office Action.

Amended Claim 1 is directed to a method for broadcasting addressed data to a plurality of users, comprising: (1) providing at least one information database that includes

data to be transmitted through a broadcast channel; (2) storing transmission criteria, wherein the transmission criteria include an address of a user or a user group, as well as an indication of the data from the information data base to be transmitted to the user or user group; and (3) automatically selecting the data to be transmitted according to the stored transmission criteria. Further, Claim 1 recites that (1) the stored data are obtained from a plurality of external information suppliers; (2) information of at least one broadcasting channel, selected from among different broadcasting channels, through which the selected data are to be transmitted, is stored with the transmission criteria; and (3) the automatically selected data are transmitted through the selected broadcasting channel to the user or the user group. Claim 1 has been amended for the purpose of clarification only and no new matter has been added.

The '598 patent is directed to a system and method for delivering web content over a broadcast medium. As shown in Figure 3, the '598 patent discloses a system in which web pages are gathered, stored, and broadcast through a broadcast medium to subscriber clients. Further, the '598 patent discloses that the subscriber clients may filter the received web pages, only storing the content that is of interest to them. In particular, the '598 patent discloses that *all* broadcast files are broadcast to *all* clients but that an individual client may direct a broadcast package receiver to collect only particular files. However, Applicants respectfully submit that the '598 patent fails to disclose *storing transmission criteria including an address of a user or a user group as well as an indication of the data from the information data base to be transmitted to the user*, as recited in amended Claim 1. Further, Applicants submit that the '598 patent fails to disclose that information of at least one broadcasting channel through which the selected data are to be transmitted is stored with the transmission criteria. Accordingly, Applicants respectfully traverse the rejection of Claim 1 (and dependent Claims 4, 7, 8, 10, 11, 14-17, 20, and 21) as anticipated by the '598 patent.

Claim 23 recites limitations analogous to the limitations recited in Claim 1.

Moreover, Claim 23 has been amended in a manner analogous to the amendment to Claim 1.

Accordingly, for the reasons stated above for the patentability of Claim 1, Applicants respectfully traverse the rejection of Claim 23 (and dependent Claims 27, 28, 31, 33, 34, 37-40, 43, and 44) as anticipated by the '598 patent.

Regarding the rejection of dependent Claims 2, 3, 5, 6, 9, 12, 13, 18, 19, 22, 24-26, 29, 30, 32, 35, 41, and 45 under 35 U.S.C. § 103, Applicants respectfully submit that the '217, '891, '875, and '497 patents fail to remedy the deficiencies of the '598 patent, as discussed above. Accordingly, Applicants respectfully submit that a *prima facie* case of obviousness has not been established and that the rejection of the above-noted dependent claims should be withdrawn.

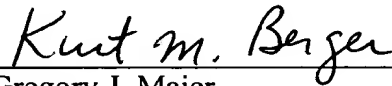
Further, Applicants respectfully submit that the '217, '891, and '875 patents do not qualify as *prima facie* prior art against the claims in the present application. The present application has an effective filing date under 35 U.S.C. § 371 of April 17, 1998. However, the '217 patent has an effective filing date of March 11, 1999; the '891 patent has an effective filing date of April 5, 1999; and the '875 patent has a filing date of November 17, 1998. Accordingly, since the effective filing date of the present application is prior to the effective filing dates of the '271, '891, and '875 patents, Applicants respectfully submit that those references do not qualify as *prima facie* prior art against the claims in the present application.

Thus, it is respectfully submitted that Claim 1 (and dependent Claims 2-22) and Claim 23 (and dependent Claims 24-45) patentably define over any proper combination of the '598, '217, '891, '875, and '497 patents.

Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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